

5                    IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/715,221                    )                    Confirmation No.: 5022  
Applicant: Langberg et al.                    )  
10       Filed: November 17, 2003                    )  
T.C./A.U.: 3738                    )  
15       Examiner: David J. Isabella                    )  
Docket No.: PVI-5813CIP1CON1                    )  
Customer No.: 30452                    )  
20       \_\_\_\_\_ )

Commissioner for Patents  
P.O. Box 1450  
25       Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

*Empowerment of Attorney*

30       Pursuant to 37 C.F.R. § 1.321(b) the undersigned attorney of record is empowered to act on  
behalf of the Assignee, Edwards Lifesciences AG (“Assignee”).

*Right of Assignee and Ownership*

35       In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of the entire  
right, title and interest in the above-identified application and co-owned Application No. 09/494,233,  
now U.S. Patent No. 6,402,781, by virtue of the Assignment recorded at Reel No. 015232, Frame  
No. 0811 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents  
that, to the best of Assignee’s knowledge and belief, title is in the Assignee seeking to take action.

*Disclaimer by Assignee*

40       Assignee hereby disclaims, except as provided below, the terminal part of any patent granted  
on the above-identified application that would extend beyond the expiration date of the full statutory  
term of U.S. Patent No. 6,402,781, and hereby agrees that any patent so granted on the above-  
identified application shall be enforceable only for and during such period that the above-identified

application and U.S. Patent No. 6,402,781 are co-owned. This agreement extends to any patent granted on the above-identified application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of U.S. Patent No. 6,402,781 in the event that U.S. Patent No. 6,402,781 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

FEE PAYMENT

Please charge the necessary fee under 37 CFR §1.20(d) to Deposit Account No. 50-1225 (PVI-5813CIP1CON1).

Respectfully submitted,

Dated: 2/7/07

By: 

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